

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 411

Resolved, that the following named Member be, and is hereby, elected to the following standing Committee on the House of Representatives:

Committee on Banking; Ms. Lee of California to rank immediately after Mr. Meeks of New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2005, WORKPLACE GOODS JOB GROWTH AND COMPETITIVENESS ACT OF 1999

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-491) on the resolution (H. Res. 412) providing for consideration of the bill (H.R. 2005) to establish a statute of repose for durable goods used in a trade or business, which was referred to the House Calendar and ordered to be printed.

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MOTION TO INSTRUCT CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

Mr. BERRY. Mr. Speaker, I offer a privileged motion to instruct conferees on the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BERRY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2990 be instructed.

(1) to take all necessary steps to begin meetings of the conference committee in order to report back expeditiously to the House; and

(2) to insist on the provisions of the Bipartisan Consensus Managed Care Improvement Act of 1999 (Division B of H.R. 2990 as passed by the House), and within the scope of con-

ference to insist that such provisions be paid for.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BERRY) and the gentleman from California (Mr. THOMAS), each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been 3 months since the House passed a bipartisan Patients' Bill of Rights legislation. The American people still do not have protections they want and deserve. Mr. Speaker, last night, I offered the motion to instruct conferees. The conferees deserve the opportunity to meet on this legislation. We need to get to work on finishing the job the American people sent us here to do.

Last October, the House passed a strong bill. That is what I am asking the House to do now. Let the conferees meet. Let the Congress vote on a strong bill that will give the American people the patient protection they deserve and are asking for.

While we delay, millions of American families needlessly suffer from the consequences of allowing HMO bureaucrats to make medical decisions. Let us allow medical decisions to be made by doctors and patients, not someone behind a desk. Americans want a bill that has a strong independent review of HMO decision. They want a bill that is going to address the unfortunate case when the HMO causes injury or wrongful death, that they will be held responsible like any other business in America.

Congress needs to take action on passing the bipartisan legislation to provide the American people with basic protections and basic guarantees when it comes to managed care.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is, once again, the kind of political move that belies the argument that people want to come to a successful conclusion on a Senate-passed bill and a House-passed bill. We would have no ability whatsoever to reconcile the differences between the bills if the Senate were to insist on its position and, in fact, the House voted, as this measure indicates they want us to vote, to lock ourselves into our position.

Now, first of all, we know that motions to instruct are not binding; that Members do not have to follow the vote one way or the other. But it is a clear indication that somebody wants political game playing rather than a solution.

Mr. Speaker, I stand prepared as a conferee, as I am sure all the other conferees are prepared, to sit down and, over some very difficult subject matter, come to mutual agreement so that, as the Constitution requires, bills that differ in passing the House and Senate

can be reconciled, repassed by the House and Senate so the legislation can actually go to the President for his signature.

If somebody wants a patient protection bill with solid standards and with the acceptable practices that several years ago we voted very noncontroversially in the Medicare provisions, like emergency rooms, like no-gag rules, like the other provisions that we have already passed, then this is exactly the wrong motion to offer.

If Members want to keep a football kicking even after the Superbowl, if they want to play politics with the issue, this is exactly the kind of motion that they would offer.

So, Mr. Speaker, I am sorry that we are beginning this year with this kind of deceptive action, and I certainly would urge Members that what they ought to do is allow the conference to do its work, come to a successful conclusion, and not inhibit it by making demands that on their face cannot be met.

Mr. Speaker, I reserve the balance of my time.

Mr. BERRY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, this is a very simple resolution. It is one upon which the House has, in substance, voted not once, but twice before. It is a good resolution. It simply says two things: One, that the conference should commence its business quickly; and two, that the conference should keep in mind and support the House-adopted position with regard to Patients' Bill of Rights.

I am rather distressed to hear the gentleman from California (Mr. THOMAS), my old friend, talk about this as being political. It is not. It is simply orderly business of the House provided for in the rules. It is a resolution which is going to expedite the process. There is no politics here.

The House has spoken on this matter not once, but twice. The people want it. The country needs it. The House should vote affirmatively on this so that we can proceed in an orderly and speedy fashion towards the adoption of a piece of legislation that the people have said is not only needed, necessary, but badly wanted and very, very useful to the people in the country.

Mr. Speaker, I urge a favorable vote on the resolution, I commend my good friend for his resolution and I urge my colleagues to vote affirmatively and to do so amicably and in the goodwill that is deserved.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. NORWOOD), the cosponsor of the legislation. And I would tell the gentleman from Michigan (Mr. DINGELL) that my point is substantiated by the next speaker. Most of us referred to that bill as the Dingell-Norwood bill.